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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.             | CONFIRMATION NO.            |
|---|-------------|----------------------|---------------------------------|-----------------------------|
| 10/500,488  | 06/28/2004  | Clemens Kujawski     | 5304PALMUSORG                   | 4524                        |
| 22879   | 7590        | 03/02/2011           |                                 |                             |
| HEWLETT-PACKARD COMPANY<br>Intellectual Property Administration<br>3404 E. Harmony Road<br>Mail Stop 35<br>FORT COLLINS, CO 80528 |             |                      | EXAMINER<br>TORRES, MARCOS L    |                             |
|   |             |                      | ART UNIT<br>2617                | PAPER NUMBER                |
|   |             |                      | NOTIFICATION DATE<br>03/02/2011 | DELIVERY MODE<br>ELECTRONIC |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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### Office Action Summary

**Application No.**

10/500,488

**Applicant(s)**

KUJAWSKI, CLEMENS

**Examiner**

MARCOS L. TORRES

**Art Unit**

2617

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 December 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 5-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 5-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsman's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
  2. Ascertaining the differences between the prior art and the claims at issue.
  3. Resolving the level of ordinary skill in the pertinent art.
  4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
4. Claims 5-6 and 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sawson US 20020141549A1 in view of Matsumoto 7017125.

As to claim 5, Sawson discloses a method for outputting help information on a mobile radio device, comprising the steps of: receiving a help signal during a partial execution of a mobile radio device function (see fig. 5, item 105; par. 0039, 0047);

processing the help signal in response to a request for help in relation to the partially executed function; generating a voice output indicative of help associated with mobile radio function in response to the processing, the voice output being indicative of a button press, the voice occurring a particular time (see fig.5, item 103,105; par. 0036, 0047-0051). Swanson does not specifically disclose one or more signals that effect a visual change on at least one of a plurality of buttons of the mobile radio device, the audio and visual occurring at the particular time or a future button press. In an analogous art, Matsumoto discloses one or more signals that effect a visual change on at least one of a plurality of buttons of the mobile radio device (see col. 3, lines 1-11), the audio and visual occurring at the particular time for a future button press (see col. 2, lines 42-67; col. 6, lines 24-64). Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to combine these teachings to provide a fast and simple way to indicate available buttons, thereby helping the user (see col. 7, lines 12-14 of Matsumoto). The above references do not specifically disclose both the audio and video. In another analogous art, Matsumoto discloses Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to synchronize the audio and visual help so the user can easily recognize the information.

As to claim 6, Swanson discloses everything as explained above except for the method wherein the visual change is the illumination of the at least one button at a level that is different from the plurality of buttons. In an analogous art, Matsumoto discloses the method wherein the visual change is the illumination of the at least one button at a level that is different from the plurality of buttons (see fig. 5). Therefore, it would have

been obvious to one of the ordinary skill in the art at the time of the invention to combine these teachings to provide a fast and simple way to indicate available buttons, thereby helping the user (see col. 7, lines 12-14 of Matsumoto).

As to claim 8, Swanson discloses everything as explained above except for the method wherein the visual change is a turning off of the at least one button. In an analogous art, Matsumoto discloses the method wherein the visual change is a turning off of the at least one button (see fig. 5; col. 6, lines 1-16). Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to combine these teachings to provide a fast and simple way to indicate available buttons, thereby helping the user (see col. 7, lines 12-14 of Matsumoto).

As to claim 9, Swanson discloses method wherein voice output is generated from a help text via a speaker in the mobile radio device (see par. 0036, 0047-0051).

5. Claims 7 and 10 rejected under 35 U.S.C. 103(a) as being unpatentable over Sawson in view of Matsumoto as applied to claim 5 above, and further in view of Hull US006720863B2.

As to claim 7, Sawanson and Matsumoto disclose everything as explained above except for the method, wherein the visual change is a repeated illumination of the at least one button. In an analogous art, Hull discloses the method, wherein the visual change is a repeated illumination of the at least one button (see col. 5, lines 35-38; col. 6, lines 1-16). Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to repeat the illumination for the simple and quick indication of the available keys or choices.

As to claim 10, Sawanson disclose a device function that is being partially executed (see fig. 5). Sawanson and Matsumoto do not specifically disclose the method wherein the help is generated in a predetermined sequence. In an analogous art, Hull discloses the method wherein the help information is generated in a predetermined animation sequence (see col. 11, lines 3-8). Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to animate the keys for the simple and quick indication of the keys function.

### ***Conclusion***

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARCOS L. TORRES whose telephone number is (571)272-7926. The examiner can normally be reached on 9:30 am - 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571-252-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/George Eng/  
Supervisory Patent Examiner, Art Unit 2617

/Marcos L Torres/  
Examiner, Art Unit 2617